

DOWNTOWN SPECIFIC PLAN ADDENDUM

(September 2009)

A Public Review Draft of the Downtown Specific Plan was published in July 2008, and that document constituted the “proposed project” for the purpose of preparing the Draft Master Environmental Impact Report (DMEIR).

Since July 2008, further city and public input, environmental review, and certain changes such as cessation of the Architectural Review Board and voter approval of Measure A exempting 500 downtown units from the RDCS have taken place. Additionally, the City Council determined to study a number of possible General Plan Circulation Network and LOS Policy Amendments through a proposed Circulation Element Amendment, and an Environmental Impact Report (EIR) and separate process is underway for the purpose of making circulation and LOS decisions, including possible changes affecting Downtown. While the Downtown Specific Plan Master EIR presents information about the possible impacts of such possible circulation network and LOS policy amendments because the changes are reasonably foreseeable, it is important to emphasize that actual decisions about circulation and LOS amendments, including the possibility of narrowing Monterey Road to 2 lanes and exempting the downtown core from the LOS policy standard, will be made through the General Plan Circulation Element Amendment process.

Additionally, economic, housing and financial conditions are now such that the projected redevelopment of Block 20 may be delayed. The Specific Plan proposed land use amendments from the existing Commercial over the whole block, to Mixed Use/CC-R over the east portion of the block and Multi-Family Medium/D-R3 over the west portion of the block. A change to the Plan is to add a zoning overlay to the Multi-Family Medium portion, to allow for use of a Commercial Administrative Use Permit Process for Block 20, so that commercial use could continue to occur in the interim before redevelopment of the block is feasible.

It is therefore desirable to identify certain text changes that will be incorporated into the version of the Downtown Specific Plan that is proposed for adoption by the City Council in November 2009. The modifications are not of a nature that would trigger additional CEQA review. This Addendum document identifies each of those changes, by Chapter and page.

THROUGHOUT THE DOWNTOWN SPECIFIC PLAN: Remove references to the Architectural Review Board, substituting references to the need for a Design Permit, or other similar text as appropriate.

Chapter 1: Vision

Page 1-4: After the third paragraph, insert the following new paragraph:

In May 2009, voters approved another ballot measure which provides an exemption from the RDCS for 500 housing units located in the 20-block area of the Downtown.

Chapter 2: Land Uses and Development Standards

Page 2-1: Note that once the Specific Plan is adopted, the words “proposed” will be deleted or modified as appropriate.

Page 2-1: Modify the first sentence of the fourth paragraph to read as follows:

Morgan Hill voters approved a ballot measure in May 2009 modifying the Residential Development Control System (RDCS) to better accommodate Downtown development, by providing an exemption for 500 housing units located in the 20-block Downtown area.

Page 2-1: Modify the end of the last sentence of the fourth paragraph to read as follows:

..., the approved modification of the RDCS to allow for 500 Downtown housing units to the year 2020 to be exempt from the RDCS and its competition requirement, will assist with attaining the community's vision for Downtown.

Page 2-3: Modify Figure 4 to change the proposed Land Use Designation for Block 16, the VTA/RDA-owned Caltrain parking lot site, to "CBD Mixed Use (no mix/no max du/ac)"

[NOTE THAT THIS CHANGE WAS IDENTIFIED AS AN ALTERNATIVE IN THE MASTER EIR]

Page 2-4: Modify Figure 5 to change the proposed Land Use Designation for Block 16, the VTA/RDA-owned Caltrain parking lot site, to "CBD Central Business District, no min/no max du/ac".

[NOTE THAT THIS CHANGE WAS IDENTIFIED AS AN ALTERNATIVE IN THE MASTER EIR]

Page 2-5: Delete the Policy bullet #7 regarding the RDCS.

Page 2-6: Delete the Policy bullet #12 regarding the RDCS.

Page 2-8: Add an additional paragraph to section 10:

In particular, the property owners, business owners and Morgan Hill Redevelopment Agency are strongly encouraged to pursue as priority projects the redevelopment of the two existing banks at the southwest and southeast corners of Main Avenue and Monterey Road, in a manner that would accommodate desirable road improvements and widening to address traffic congestion of the Main Avenue road segment.

Page 2-11: In the second paragraph, revise the language regarding Block 20 to read as follows:

Block 20 (outside of the Specific Plan boundary) was initially projected to redevelop by 2015, but due to 2008/2009 Recession conditions, it was determined that the Master EIR Traffic Study would assume continued commercial use of the block, in order to present "worst case" traffic conditions. The previously projected 82 new residential units for this block were shifted for the purpose of the Traffic Study to Block 16, the Caltrain parking lot site. However, redevelopment of Block 20 in the manner proposed by the Specific Plan, to Multi-family Medium/R-3 west of the SCVWD ROW and Mixed Use/CC-R east of the ROW remains a land use goal for Block 20. A "Commercial Use Overlay" is therefore proposed to be added to the Multi-Family Medium parcels, to allow for use of a Commercial Administrative Use Permit Process for Block 20, so that commercial use could continue to occur in the interim before redevelopment of the block is feasible.

Page 2-14: In the sixth paragraph, revise the end of the sentence to read as follows:

... , and 495 of the 500 exempt housing units provided by the May 2009 ballot measure approved by the voters, for a total of 850 units.

Page 2-16: Modify the text of the “development assumptions by block” as follows:

Block 1: Add additional paragraph:

This block contains an existing bank located at the southeast corner of Main Avenue and Monterey Road. The property owner and the Redevelopment Agency are encouraged to work together to redevelop the site in a manner that would accommodate desirable road improvements and widening to address traffic congestion of the Main Avenue road segment.

Block 2: Revise the third sentence to read as follows:

Redevelopment of this block may incorporate a remodeled or new Granada Theater for a cinema or entertainment use, however the Specific Plan does not require this, and a cinema on an alternate downtown site is acceptable. Under any scenario, however, it is a goal of the Specific Plan that the existing Granada upright sign and marquee be retained in the downtown, associated with a cinema or entertainment use.

Block 3: Add to the end of the discussion of Block 3:

Relocation of the Granada Theater sign and marquee to the Monterey Road frontage of this block would be a suitable redevelopment project, for a new cinema or entertainment use if the existing Granada Theater site is used for other purposes.

Page 2-17:

Block 4: Delete the last sentence of Block 4 text (word processing error).

Block 6: Add to the end of the discussion of Block 6:

The Specific Plan identifies a preferred future project consisting of re-routing Depot Street through the CCC parking lot, in order to create an intersection with Church Street at the signal. This allows Depot Street to remain connected to Dunne Avenue even when the Dunne/UPRR grade separation project (undercrossing of RR tracks) occurs. This project should be designed in a manner that allows sufficient site area for structured parking, accommodates private property access requirements, and facilitates pedestrian travel to CCC and Gavilan uses.

Block 7: Delete the third sentence of Block 7 text (word processing error).

Page 2-18:

Block 9: Add additional paragraph:

The property owners and the Redevelopment Agency are encouraged to work together to redevelop the office building site and/or the existing bank site at the southwest corner of Main/Monterey in a manner that would accommodate desirable road improvements and widening to address traffic congestion of the Main Avenue road segment.

It is also desirable on this block to pursue a continuous parking lot from Main Avenue through to First Street, behind the Monterey frontage buildings.

Block 12: Correct to remove "VTA" and substitute "RDA". Insert as the second sentence: This block contains the "Nob Hill" geographic feature, which has the large-lot residential designation given the hillside topography.

Block 15: Add to the end of the paragraph:

The Redevelopment Agency is providing assistance so that the existing concrete batch plant will be relocated from this site to a more suitable site outside of the **Downtown area**.

Page 2-19:

Block 16: Delete the existing paragraph and substitute the following paragraph:

This block has a CBD Mixed Use (General Plan) and CBD Central Business District (zoning), with no maximum density. Redevelopment of the surface parking lot offers the potential for a transit-oriented development with high density residential units. Offices could also be appropriate in a mixed use project. Redevelopment of this block assumes the retention of the Caltrain parking spaces, but the spaces may be provided in a structure on the site or nearby. The level of projected development assumed in the EIR Traffic Study included 268 residential housing units and the parking spaces.

Block 17: Revise the text to note April 2009 timeframe that the Courthouse did open.

Block 20: Add text to end of discussion: However, due to 2008/2009 Recession conditions, it was determined that the Master EIR Traffic Study would assume continued commercial use of the block, in order to present "worst case" traffic conditions. The previously projected 82 new residential units for this block were shifted for the purpose of the Traffic Study to Block 16, the Caltrain parking lot site.

Page 2-20: Delete the existing three paragraphs under Residential Development Control System (RDCS). Instead, substitute the following text:

Morgan Hill voters approved a ballot measure in May 2009 to exempt 500 residential units from the RDCS process within the Downtown area (Blocks 1 – 20), within the city's current RDCS population cap of 48,000 persons in the year 2020. The 500 units represents an average of 45 units per year. Under the exemption, residential and mixed use development in Downtown that are consistent with the Specific Plan will need only to secure a Design Permit and Building Permit, with some uses also requiring a Conditional Use Permit or DAUP. If a project proposes a change to the Specific Plan development standards, a Planned Development zoning designation would be required, but the residential units would still be exempt from the RDCS.

Page 2-22: Add Use to Figure 8 – Permitted Uses within the Specific Plan Boundary:

	CBD	GFO	D-PF	R-2, D-R3, D-R-4	RE
Public Parking Lots or Structures	P	C	P	C	N

Pages 2-24 through 2-26: Changes to Central Business District (CBD):

- Add text to reflect Block 16 also designated for CBD Central Business District.
 - Modify second “Purpose of the CBD District” bullet to read as follows: “support traditional architectural styles and features, while also allowing for design creativity and use of contemporary materials in a manner found to be compatible with the Downtown vision and character”.
 - Correct the Parking Requirements for consistency with the Parking Strategy recommendations, and add opportunity to approve exceptions to usual parking design:
 - Retail*: 2.8 spaces per 1,000 square feet
 - Office*: 4.0 spaces per 1,000 square feet
 - Residential*:
 - 1.0 space per unit (600 or fewer square feet in unit)
 - 1.5 spaces per unit (> 600 to 1,350 square feet in unit)
 - 2.0 spaces per unit (> 1,350 square feet in unit)
- * parking requirements based on all new and redeveloped square footage or dwelling units*
- In the CBD, exceptions to parking design requirements of Chapter 18.50: Off-street Parking and Paving Standards, may be approved through the Design Permit process

Page 2-26: Clarify public noticing requirements and Design Permit decision-making authority, by adding the following language to the end of the “Additional Required Permits and Conditions”:

Noticed Public Hearings shall be held for all projects subject to Design Permit requirements. The Community Development Director shall determine the appropriate process for consideration of Design Permits; smaller or more minor projects may be acted upon by staff, while larger and more significant projects should be referred to the Planning Commission or City Council. Any Design Permit which involves Redevelopment Agency or City-owned sites, or for which the RDA is entering into an Agreement to assist with the development, should be acted upon by the City Council, after receiving a recommendation from staff and/or the Planning Commission, as determined by the Community Development Director.

Page 2-31, 2-32 and 2-34: Revise the “manufactured homes” statement to read: “All manufactured homes are subject to Design Permit approval.”

Page 2-35: Modify D-PF Development Standards parking requirements to read:

Parking requirements: Parking spaces shall be provided in the amount as specified in Chapter 18.50: Off-street Parking and Paving Standards. In the D-PF Downtown Public Facilities District, exceptions to parking design requirements of Chapter 18.50 may be approved through the Design Permit process.

Chapter 3: Multi-Modal Circulation and Streetscapes

Page 3-1: Revise second sentence to read as follows:

Streetscape improvements for the Third Street Plaza and Promenade project will be complete by January 2010.

Page 3-3: Revise the “Monterey Road Narrowing” discussion, by deleting the existing first two paragraphs and substituting the following language:

The City of Morgan Hill has studied a possible Circulation Element Amendment to narrow Monterey Road from 4 lanes to 2 lanes, between Main and Dunne Avenues. This Downtown Specific Plan will accommodate any decision that may be made regarding Monterey Road through the downtown area; the goals of the Plan can be met with Monterey Road remaining 4 lanes, and could also be met under a 2-lane Monterey Road configuration. Decisions about the configuration of Monterey Road through Downtown will be made in the context of the Circulation Element of the General Plan, not the Downtown Specific Plan.

Page 3-3: Revise the remainder of the “Monterey Road Narrowing” discussion, by deleting the last two paragraphs.

Page 3-4: Under “4, Median Landscaping and Tree Lighting”, delete the 3rd & 4th sentences.

Page 3-6: Delete the second paragraph under “Depot Street” and substitute the following text:

The City of Morgan Hill has studied a possible Circulation Element Amendment to change the current plan to close Depot Street when the planned Dunne/UPRR grade separation (undercrossing) project occurs, so that Depot Street can remain connected to Dunne Avenue. Depot Street offers an important alternate north-south travel route within the downtown, and provides access to public parking lots located on Depot Street. This Downtown Specific Plan will accommodate any decision that may be made regarding Depot Street; however, the preferred option would be a plan to re-route Depot Street through the existing Community & Cultural Center parking lot, to connect to Dunne Avenue at the existing Church/Dunne traffic signal, to create an intersection. This would allow Depot Street to remain connected to Dunne Avenue even when the Dunne/UPRR grade separation project occurs. This project should be designed in a manner that allows sufficient site area for structured parking, accommodates private property access requirements, and facilitates pedestrian travel to CCC and Gavilan College uses.

Page 3-7: In the first paragraph of the “Pedestrian-Friendly, Multi-Modal Circulation” section: Delete the following sentence: “Improvements along Monterey Road, including those discussed above, should be given a high priority for circulation and streetscape improvements, but narrowing to two lanes is not likely to occur until after 2015.”

Substitute the following sentence: “Streetscape improvements along Monterey Road should be given a high priority, under either the existing 4-lane configuration or a possible 2-lane configuration. The City should carry out a Monterey Road Streetscape alternatives design planning process, with broad public participation, in order to develop the preferred improvements for Monterey Road.”

Chapter 4: Parking Resources Management Strategy

Page 4-1: At end of third paragraph, change “934” to “808” (correction of typo).

Chapter 5: Design Guidelines

Page 5-2: Clarify public noticing requirements and Design Permit decision-making authority, by deleting the words “The Architectural Review Board has authority to approve Design Permits, and”, and then add the following language to the end of the “Site Review Design Permit Process and Requirements”:

Noticed Public Hearings shall be held for all projects subject to Design Permit requirements. The Community Development Director shall determine the appropriate process for consideration of Design Permits; smaller or more minor projects may be acted upon by staff in accordance with Chapter 18.74, while larger and more significant projects should be referred to the Planning Commission or City Council. Any Design Permit which involves Redevelopment Agency or City-owned sites, or for which the RDA is entering into an Agreement to assist with the development, should be acted upon by the City Council, after receiving a recommendation from staff and/or the Planning Commission, as determined by the Community Development Director (minor projects may be approved by staff).

Page 5-7: In DG-A17, use the word “significance” instead of “importance”.

Page 5-13: In DG-B14, delete the last two bullets and instead include the following:

- Projects located on parcels adjacent to the railroad shall comply with the noise and vibration mitigation measures contained in the Mitigation Measures section of Chapter 8, Implementation.

Page 5-14: In DG-C3, change the number of feet that porches are allowed to encroach into a residential front setback from “5” to “7”.

Page 5-15: In DG-D2, add the words “unless a Planned Development rezoning is approved” to the end of the first sentence.

Page 5-25: In DG-M9, add a fourth bullet:

- Tree grates and tree staking should be inspected annually and adjusted as necessary to maintain the health of the tree.

Chapter 7: Infrastructure

Page 7-2: Delete the second paragraph and substitute the following paragraph:

Monterey Road runs north-south and is the main street in Downtown. Through Downtown, it currently has four lanes with on-street parallel parking. The City of Morgan Hill has studied a possible Circulation Element Amendment to narrow Monterey Road from 4 lanes to 2 lanes, between Main and Dunne Avenues. This Downtown Specific Plan will accommodate any decision that may be made regarding Monterey Road through the downtown area; the goals of the Plan can be met with Monterey Road remaining 4 lanes, and could also be met under a 2-lane Monterey Road configuration. Decisions about the configuration of Monterey Road through Downtown will be made in the context of the Circulation Element of the General Plan, not the Downtown Specific Plan. Streetscape improvements along Monterey Road should be given a high

priority, under either the existing 4-lane configuration or the possible 2-lane configuration. The City should carry out a Monterey Road Streetscape alternatives design planning process, with broad public participation, in order to develop the preferred improvements for Monterey Road.

Page 7-2: Delete the first bullet under "Existing Transit Service" to reflect the elimination of bus route 15.

Page 7-3: Delete the second paragraph and substitute the following paragraph:

This UPRR/Caltrain rail corridor has also been identified as the possible location for accommodating the through route of the California High Speed Rail (HSR) Project. Conceptual plans call for an elevated track within the UPRR right of way, with no station planned for Morgan Hill. California voters approved some funding toward High Speed Rail in November 2008, and the federal government has also identified funding that may be awarded to California High Speed Rail. The City of Morgan Hill has expressed a strong preference for a US 101 corridor alignment for the segment of High Speed Rail through Morgan Hill (possibly with a station) rather than having HSR within or near the UPRR corridor in the downtown area, as an elevated HSR would be visually intrusive and impede the Specific Plan goals for the 20-block Downtown, in terms of unifying the blocks into a cohesive downtown.

Page 7-3: Delete the second, third and fourth paragraphs under "Transportation Projects and Improvements", and substitute the following paragraphs:

Monterey Road: The City of Morgan Hill has studied a possible Circulation Element Amendment to narrow Monterey Road from 4 lanes to 2 lanes, between Main and Dunne Avenues. This Downtown Specific Plan will accommodate any decision that may be made regarding Monterey Road through the downtown area; the goals of the Plan can be met with Monterey Road remaining 4 lanes, and could also be met under a 2-lane Monterey Road configuration. Decisions about the configuration of Monterey Road through Downtown will be made in the context of the Circulation Element of the General Plan, not the Downtown Specific Plan. Streetscape improvements along Monterey Road should be given a high priority, under either the existing 4-lane configuration or the possible 2-lane configuration. The City should carry out a Monterey Road Streetscape alternatives design planning process, with broad public participation, in order to develop the preferred improvements for Monterey Road.

Depot Street: The City of Morgan Hill has studied a possible Circulation Element Amendment to change the current plan to close Depot Street when the planned Dunne/UPRR grade separation (undercrossing) project occurs, so that Depot Street can remain connected to Dunne Avenue. Depot Street offers an important alternate north-south travel route within the downtown, and provides access to public parking lots located on Depot Street. This Downtown Specific Plan will accommodate any decision that may be made regarding Depot Street; however, the preferred option would be a plan to re-route Depot Street through the existing Community & Cultural Center parking lot, to connect to Dunne Avenue at the existing Church/Dunne traffic signal, to create an intersection. This would allow Depot Street to remain connected to Dunne Avenue even when the Dunne/UPRR grade separation project occurs. This project should be designed in a manner that allows sufficient site area for structured parking, accommodates private property access requirements, and facilitates pedestrian travel to CCC and Gavilan College uses.

In the future, signalization of the Depot/Main intersection will be necessary. In planning for installation of the traffic signal, it will be necessary to carefully coordinate signal timing, given the at-grade UPRR road crossing and proximity of other signals at Main/Monterey and Main/Butterfield. The Morgan Hill Redevelopment Agency should pay for installation of the signal when warranted by traffic levels, and should also pursue extending Depot Street north of Main, and then curving to connect with McGlaughlin Drive, to establish a route to/from Central Avenue.

VTA Bus Route and Monterey Road: The City of Morgan Hill and the Santa Clara Valley Transportation Authority should continue to work together to improve the pedestrian and transit environment along Monterey Road. Locating attractive bus stops at appropriate locations adequately separated from outdoor dining areas, and using “bulb outs” to provide plaza areas and comfortable pedestrian crossing distances, is encouraged. Upgrading the bus stops with attractive custom shelters, signage, paving treatments, lighting and other amenities would ensure that transit helps in improving the downtown.

Chapter 8: Implementation and Plan for Investment

Page 8-4: In the right column, add bullet and title in front of the second paragraph, and revise the second paragraph to read as follows:

- **Business Relocation and Site Redevelopment:** The Agency may also provide assistance to certain businesses deemed to be incompatible uses in Downtown, or to certain sites/uses that impede achievement of the community’s vision for downtown. For example, the Agency is providing assistance to facilitate relocation of the concrete batch plant from Block 15 to a block outside of the downtown area. In the future, the property owners, business owners and Morgan Hill Redevelopment Agency are strongly encouraged to pursue as priority projects the redevelopment of the two existing banks at the southwest and southeast corners of Main Avenue and Monterey Road, in a manner that would accommodate desirable road improvements and widening to address traffic congestion of the Main Avenue road segment.

Page 8-9: Revise Phase 3 item #2 “Monterey Road Narrowing and Streetscape Improvements” to read as follows:

The City of Morgan Hill has studied a possible Circulation Element Amendment to narrow Monterey Road from 4 lanes to 2 lanes, between Main and Dunne Avenues. This Downtown Specific Plan will accommodate any decision that may be made regarding Monterey Road through the downtown area; the goals of the Plan can be met with Monterey Road remaining 4 lanes, and could also be met under a 2-lane Monterey Road configuration. Decisions about the configuration of Monterey Road through Downtown will be made in the context of the Circulation Element of the General Plan, not the Downtown Specific Plan. Streetscape improvements along Monterey Road should be given a high priority, under either the existing 4-lane configuration or the possible 2-lane configuration. The City should carry out a Monterey Road Streetscape alternatives design planning process, with broad public participation, in order to develop the preferred improvements for Monterey Road.

There are a variety of options for use of the right-of-way if Monterey Road is reduced to two vehicular travel lanes. Some of these options include the addition of either bike

routes or “sharrows” through Downtown, widening of sidewalks, establishment of outdoor dining areas, and the construction of angled parking to increase parking resources. The center median could be retained, renovated with new landscaping, or eliminated. The specific use of the right of way would be subject to a community design planning process.

Page 8-10: Re-label #7 to say: “Potential Additional Grade-Separated Railroad Crossing for Pedestrians, Bicycles and Emergency Vehicles”, and add the following text to the end of the paragraph:

It may be that the most viable location for such a crossing would be closer to Diana Avenue; emergency vehicles could travel on Diana and/or through the Courthouse parking lot to an undercrossing of the railroad tracks, with the connection ending near a relocated Depot Street in an area that is now the Community & Cultural Center parking lot, which is planned for reconfiguration.

Page 8-10: Revise first paragraph under “Subsequent Development Entitlements and Permits”:

Proposed projects that meet the overall intent of the Specific Plan but which are not in substantial conformance with the development standards of the applicable zoning district, will need to file an application for rezoning as a Planned Development pursuant to Chapter 18.30 (Planned Development District) of the Zoning Ordinance. The Planned Development (PD) process allows for variations to standard development requirements. As an example, if a 5-story development were to be proposed on the current site of the VTA/Caltrain parking lot on Block 16, this would need to be pursued as a PD and rezoning.

Page 8-11: Revise the first paragraph to read as follows:

Design Permits are required for projects located in the Downtown, pursuant to Chapter 18.74 (Design Review) of the Zoning Ordinance. Within the 18-block Specific Plan area, noticed public hearings shall be held for all projects subject to Design Permit requirements. The Community Development Director shall determine the appropriate process for consideration of Design Permits; smaller or more minor projects may be acted upon by staff in accordance with Chapter 18.74, while larger and more significant projects should be referred to the Planning Commission or City Council. Any Design Permit which involves Redevelopment Agency or City-owned sites, or for which the RDA is entering into an Agreement to assist with the development, should be acted upon by the City Council, after receiving a recommendation from staff and/or the Planning Commission, as determined by the Community Development Director (minor projects may be approved by staff).

Page 8-13: Add the following language to the end of #4 text regarding “Future Fire Station with Potential Additional Grade-Separated Railroad Crossing for Pedestrians, Bicycles and Emergency Vehicles”:

It may be that the most viable location for such a crossing would be closer to Diana Avenue; emergency vehicles could travel on Diana and/or through the Courthouse parking lot to an undercrossing of the railroad tracks, with the connection ending near a relocated Depot Street in an area that is now the Community & Cultural Center parking lot, which is planned for reconfiguration.

Page 8-14: Add the following to the end of the “Relationship to the General Plan” section:

Table 2 on page 16 of the Morgan Hill General Plan will be amended to create a new General Plan land use designation to accommodate the unique provisions established for the Central Business District, as follows:

Land Use Designation	Acres	Primary Uses	Density Range	Minimum Lot Area	Maximum Bldg Lot Coverage	Maximum Height *
Mixed Use-CBD	45	Downtown	no min/no max	3,500 sf	NA	2-story: 35' to roof plate 3-story: 45' to roof plate 4-story: 55' to roof plate

* additional height would be considered under a Planned Development (PD) rezoning

Page 18 of the Morgan Hill General Plan shall be amended to delete the current text description of "Mixed Use", and to substitute the following:

Mixed Use. The Mixed Use designation has two expressions: the "Mixed Use-CBD" is applied to certain Central Business District (CBD) parcels within the Downtown Specific Plan area, and the Downtown Specific Plan is adopted as the General Plan land use map, goals, policies, programs and zoning standards applicable to the Downtown. The remainder of the "Mixed Use" locations, totalling approximately 23 acres, are located in areas near downtown, and the density range provides for 8 to 20 units per acre, as implemented by the Central Commercial-Residential (CC-R) zoning district.

Additionally, the Morgan Hill General Plan shall be amended, as a "clean-up" measure, to remove the terms "Non-Retail Commerical" from the text and land use map, and to instead substitute the term "Limited Commerical-Residential".

Page 8-14: Delete the existing paragraph under "CEQA Compliance" and substitute the following paragraphs:

Adoption of the Downtown Specific Plan constitutes a project under the California Environmental Quality Act (CEQA). A Master Environmental Impact Report (MEIR) has been prepared in accordance with CEQA to identify potentially significant impacts and mitigation and avoidance measures to be implemented to address these impacts. A summary of these mitigation and avoidance measures is contained as the last section of this Chapter 8.

The Morgan Hill City Council certified the Final MEIR in conjunction with approving the Downtown Specific Plan, and has made appropriate findings and adopted a Statement of Overriding Considerations for impacts that cannot be fully mitigated to a less than significant level.

Page 8-15: Add a second paragraph to the "Subsequent Projects" discussion:

It must be emphasized that the phasing assumptions are not intended to and will not be interpreted to act as a geographic or numeric constraint to the location, level and/or timing of development. Under the adopted Specific Plan and Master EIR, other blocks or portions of blocks may develop sooner or later than the projections in Chapter 2 of this Plan. The overall level and location of actual development will be monitored by the City to ensure that land use regulations, parking supply and management activities, and environmental (CEQA) compliance is appropriate to actual conditions over time.

Page 8-15: Delete the existing two paragraphs under “Residential Development Control System (RDCS)”, and substitute the following:

Morgan Hill voters approved a ballot measure in May 2009 to exempt 500 residential units from the RDCS process within the Downtown area (Blocks 1 – 20), within the city’s current RDCS population cap of 48,000 persons in the year 2020. The 500 units represents an average of 45 units per year. Under the exemption, residential and mixed use development in Downtown that are consistent with the Specific Plan will need only to secure a Design Permit and Building Permit, with some uses also requiring a Conditional Use Permit or DAUP. If a project proposes a change to the Specific Plan development standards, a Planned Development zoning designation would be required, but the residential units would still be exempt from the RDCS.

Page 8-16: Add a new section to this Chapter; title the section “Summary of Impacts and Mitigation & Avoidance Measures from Master Environmental Impact Report (MEIR)”.

Include the following introductory text prior to presenting the Summary Table:

The Master EIR presents impacts and mitigation/avoidance measures for two timeframes: 2015 and 2030, and for two possible configurations of Monterey Road in the downtown between Main Avenue and Dunne Avenue. The Downtown Specific Plan Project approved by the City of Morgan Hill in 2009 consists of “The Project”, which assumes Monterey Road remains 4 lanes through the Downtown. The “Project Alternate” information presented in the Master EIR pertains to the configuration of Monterey Road as a 2-lane facility, and impacts/mitigation measures applicable to the Project Alternate are denoted by addition of “-A” to the impact/MM numbering system.

The following mitigation measures and avoidance measures shall be imposed as conditions of approval for development projects, or otherwise carried out by the City of Morgan Hill, Morgan Hill Redevelopment Agency, or other appropriate entity, as described in the Mitigation Monitoring and Reporting Program (MMRP) adopted in conjunction with certification of the Master EIR and adoption of the 2009 Downtown Specific Plan.

Summary of Significant Impacts

The following information summarizes the significant effects of the proposed project and mitigation measures proposed to reduce these effects. Impacts that are less than significant are not described in this summary and can be found in the text of the MEIR. A complete description of the project and of its impacts and proposed mitigation measures can be found in the text of the MEIR.

Significant Impact	Mitigation and Avoidance Measures
Transportation Impacts	
Impact TRANS-1: Under 2015 conditions, the proposed project would exacerbate LOS D intersection operations at Monterey Road/Main Avenue during the AM peak hour. (Significant Impact)	MM TRANS-1.1: Monterey Road/Main Avenue. The addition of 2015 project traffic volumes would exacerbate LOS D intersection operations during the AM peak hour. The mitigation required to reduce the impact from the proposed project to less than significant during the AM peak hour would be to provide for Main Avenue protected east/west phasing with modifications to the eastbound approach (i.e., a left-turn lane and a shared-through right) and widening of the westbound approach (i.e., a separate left, through, and right

Significant Impact	Mitigation and Avoidance Measures
	<p>lane with an overlap phase). The implementation of this mitigation would require reduced travel lane and sidewalk widths below City standards due to the proximity of existing buildings.</p> <p>The implementation of this mitigation would require reduced travel lane and sidewalk widths below City standards due to the proximity of existing buildings. At the time the adjacent blocks redevelop with new buildings a lane could be added, however, one of the City's policies for the Downtown Specific Plan is to create a vibrant downtown destination with pedestrian-friendly amenities including widened sidewalks and roadway widths that do not increase the visual separation between uses or allow for increased vehicle speeds in pedestrian oriented areas. Widening of Main Avenue and narrowing sidewalks would conflict with the policies of the Downtown Specific Plan regarding multi-modal circulation and streetscapes. This mitigation would require removal of buildings or conflict with the City's objectives for transportation improvements in this area and, therefore, the impact at this intersection is significant and unavoidable. (Significant Unavoidable Impact)</p>
<p>Impact TRANS-1a: Under 2015 conditions, the project alternate would result in impacts to the intersection of Monterey Road/Main Avenue (LOS F during AM and LOS D- during PM peak hour). (Significant Impact)</p>	<p>MM TRANS-1a.1: <u>Monterey Road/Main Avenue.</u> The addition of 2015 traffic volumes on the project alternate roadway network would exacerbate LOS D intersection operations to LOS F and LOS D- during the AM and PM peak hours, respectively. The mitigation required to reduce the impact from the project alternate to less than significant during the AM and PM peak hours would be to provide for Main Avenue protected east/west phasing with modifications to the eastbound approach (i.e., a left-turn lane and a shared-through right) and widening of the westbound approach (i.e., a separate left, through, and right lane with an overlap phase). The southbound approach would need to be widened to include two southbound left-turn lanes, a through lane, and a right-turn lane. These improvements would not conflict with the narrowing of Monterey Road from four to two lanes.</p> <p>The implementation of this mitigation would require reduced travel lane and sidewalk widths below City standards due to the proximity of existing buildings. At the time the adjacent blocks redevelop with new buildings a lane could be added, however, one of the City's policies for the Downtown Specific Plan is to create a vibrant downtown destination with pedestrian-friendly amenities including widened sidewalks and roadway widths that do not increase the visual separation between uses or allow for increased vehicle</p>

Significant Impact	Mitigation and Avoidance Measures
	<p>speeds in pedestrian oriented areas. Widening of Main Avenue and narrowing sidewalks would conflict with the policies of the Downtown Specific Plan regarding multi-modal circulation and streetscapes. This mitigation would require removal of buildings or conflict with the City's objectives for transportation improvements in this area and, therefore, the impact at this intersection is significant and unavoidable. (Significant Unavoidable Impact)</p>
<p>Impact TRANS-2a: Under 2015 conditions, the project alternate would result in impacts to the intersection of Dunne Avenue/Monterey Road (LOS D during PM peak hour). (Significant Impact)</p>	<p>MM TRANS-2a.1: <u>Monterey Road/Dunne Avenue.</u> The addition of 2015 traffic volumes on the project alternate roadway network would degrade acceptable (LOS D+) operations to LOS D operations during the PM peak hour. The mitigation required to reduce the impact from the project alternate to a less than significant level during the PM peak hour would be to provide for Dunne Avenue an eastbound right-turn overlap phase and a southbound approach with a left-turn, through lane and shared through-right lane. This configuration would be inconsistent with narrowing Monterey Road from four to two lanes between Dunne Avenue to Fifth Street and would require modification of the narrowing proposed under the Project Alternate to retain four lanes on Monterey Road between Dunne Avenue and Fifth Street.</p> <p>During a future Monterey Road streetscape planning process, the City of Morgan Hill should explore feasibility and desirability of retaining additional lanes in the block of Monterey Road between Dunne Avenue and Fifth Street; however, with the current project alternate roadway network, the impact at this intersection is significant and unavoidable. (Significant Unavoidable Impact)</p>
<p>Impact TRANS-4: The proposed Specific Plan, under 2030 conditions, would degrade Monterey Road/Main Avenue intersection operations from LOS D to LOS E and LOS D- during the AM and PM peak hours, respectively. (Significant Impact)</p>	<p>MM TRANS-4.1: <u>Monterey Road/Main Avenue.</u> The addition of 2030 traffic volumes would degrade the Monterey Road and Main Avenue intersection operations from LOS D to LOS E and LOS D- during the AM and PM peak hours, respectively. To mitigate this impact, Main Avenue would need protected east/west phasing with modifications to the eastbound approach (i.e., a left-turn lane and a shared-through right) and widening of the westbound approach (i.e., separate left, through, and right lane with an overlap phase).</p> <p>The implementation of this mitigation would require reduced travel lane and sidewalk widths below City standards due to the proximity of existing buildings. At the time the adjacent blocks redevelop with new buildings a lane could be added, however, one of the City's policies for the Downtown Specific Plan is to create a vibrant downtown destination with</p>

Significant Impact	Mitigation and Avoidance Measures
	<p>pedestrian-friendly amenities including widened sidewalks and roadway widths that do not increase the visual separation between uses or allow for increased vehicle speeds in pedestrian oriented areas. Widening of Main Avenue and narrowing sidewalks would conflict with the policies of the Downtown Specific Plan regarding multi-modal circulation and streetscapes. This mitigation would require removal of buildings or conflict with the City's objectives for transportation improvements in this area and, therefore, the impact at this intersection is significant and unavoidable.</p> <p>(Significant Unavoidable Impact)</p>
<p>Impact TRANS-4a: The proposed Specific Plan, under 2030 Project Alternate conditions, would degrade Main Avenue/Monterey Road intersection operations from LOS D to LOS F and LOS E during the AM and PM peak hours, respectively. (Significant Impact)</p>	<p>MM TRANS-4a.1: <u>Monterey Road/Main Avenue.</u> The addition of 2030 traffic volumes on the project alternate roadway network would degrade the Monterey Road and Main Avenue intersection operations from LOS D to LOS F and LOS E during the AM and PM peak hours, respectively. To mitigate this impact, Main Avenue would need protected east/west phasing with modifications to the eastbound approach (i.e., a left-turn lane and a shared-through right) and widening the westbound approach (i.e., separate left, through, and right lane with an overlap phase). The southbound approach would also need to be widened (i.e. two southbound left-turn lanes, a through-lane, and a right-lane) and the northbound approach would require a northbound left-turn lane, a through-lane, and a shared through-right lane. The northbound approach would conflict with the potential narrowing of Monterey Road from four to two lanes between Main Avenue and Dunne Avenue.</p> <p>The implementation of this mitigation would require reduced travel lane and sidewalk widths below City standards due to the proximity of existing buildings. At the time the adjacent blocks redevelop with new buildings a lane could be added, however, one of the City's policies for the Downtown Specific Plan is to create a vibrant downtown destination with pedestrian-friendly amenities including widened sidewalks and roadway widths that do not increase the visual separation between uses or allow for increased vehicle speeds in pedestrian oriented areas. Widening of Main Avenue and narrowing sidewalks would conflict with the policies of the Downtown Specific Plan regarding multi-modal circulation and streetscapes. This mitigation would require removal of buildings or conflict with the City's objectives for transportation improvements in this area and, therefore, the impact at this intersection is significant and unavoidable.</p> <p>(Significant Unavoidable Impact)</p>

Significant Impact	Mitigation and Avoidance Measures
<p>Impact TRANS-5: The proposed Specific Plan, under 2030 conditions, would degrade Depot Street/Main Avenue intersection operations from LOS C to LOS E during the AM peak hour and would meet the peak hour signal warrant criteria. (Significant Impact)</p>	<p>MM TRANS-5.1: <u>Depot Street/Main Avenue.</u> The addition of 2030 traffic volumes would degrade the Depot Street/Main Avenue intersection operations from LOS C to LOS E during the AM peak hour and the peak-hour signal warrant would be met. Signalizing this intersection would mitigate this impact to a less than significant level. It should be noted that signalization at this location was recommended in the Circulation Element update that is currently in progress.</p> <p>The City of Morgan Hill will monitor traffic at this location and provide for installation of a signal or make other improvements at the time the intersection is projected to operate at an unacceptable level and meet signal warrants. (Less Than Significant Impact with Mitigation)</p>
<p>Impact TRANS-5a: The proposed Specific Plan, under 2030 Project Alternate conditions, would degrade Main Avenue/ Depot Street intersection operations from LOS C and D to LOS E and F during the AM and PM peak hours, respectively, and would meet the peak hour signal warrant criteria. (Significant Impact)</p>	<p>MM TRANS-5a.1: <u>Main Avenue/Depot Street.</u> The addition of 2030 traffic volumes on the project alternate roadway network would degrade the Main Avenue and Depot Street intersection from LOS C and LOS E to an unacceptable LOS E and LOS F during the AM and PM peak hours, respectively. In addition, the peak hour warrant is exceeded during both peak hours. Providing a signal at this location would reduce this impact to a less than significant level and provide acceptable (LOS D+ or better) operations during both peak hours. It should be noted that the recommendation for a signal is also identified in the recommended roadway network for the General Plan Circulation Element update that is currently in progress.</p> <p>The City of Morgan Hill will monitor traffic at this location and provide for installation of a signal or make other improvements at the time the intersection is projected to operate at an unacceptable level and meet signal warrants. (Less Than Significant Impact with Mitigation)</p>
<p>Impact TRANS-6a: The proposed Specific Plan, under 2030 Project Alternate conditions, would degrade Main Avenue/Hale Avenue intersection operations from LOS B to LOS E during the AM peak hour and would meet the peak hour signal warrant criteria. (Significant Impact)</p>	<p>MM TRANS-6a.1: <u>Main Avenue/Hale Avenue.</u> The addition of 2030 traffic volumes on the project alternate roadway network would degrade the intersection of Main Avenue and Hale Avenue from LOS B to an unacceptable LOS E during the AM peak hour. In addition, the peak hour warrant is exceeded during the AM peak hour. Providing a signal at this location would reduce this impact to a less than significant level and provide acceptable (LOS D+ or better) operations during both peak hours. It should be noted that the recommendation for a signal is also identified in the recommended roadway network for the General Plan Circulation Element update that is currently in progress.</p> <p>The City of Morgan Hill will monitor traffic at this location and</p>

Significant Impact	Mitigation and Avoidance Measures
	<p>provide for installation of a signal or make other improvements at the time the intersection is projected to operate at an unacceptable level and meet signal warrants.</p> <p>(Less Than Significant Impact with Mitigation)</p>
<p>Impact TRANS-7a: The proposed Specific Plan, under 2030 Project Alternate conditions, would degrade Dunne Avenue/Monterey Road intersection operations from LOS D+ to LOS D during the PM peak hour. (Significant Impact)</p>	<p>MM TRANS-7a.1: Dunne Avenue/Monterey Road. The addition of 2030 traffic volumes on the project alternate roadway network would degrade the intersection of Monterey Road and Dunne Avenue from an acceptable LOS D+ to an unacceptable LOS during the PM peak hour. The mitigation required to reduce the impact from the project alternate to a less than significant level during the PM peak hour would be to provide an eastbound right-turn overlap phase, and a southbound approach with a left-turn, through lane and shared through-right lane to operate acceptably (LOS D+ or better). This configuration would be inconsistent with narrowing Monterey Road from four to two lanes between Dunne Avenue to Fifth Street and would require modification of the narrowing proposed under the Project Alternate.</p> <p>During a future Monterey Road streetscape planning process, the City of Morgan Hill could explore feasibility and desirability of retaining additional lanes in the block of Monterey Road between Dunne Avenue to Fifth Street; however, with the current project alternate roadway network, the impact at this intersection is significant and unavoidable.</p> <p>(Significant Unavoidable Impact)</p>
<p>Impact TRANS-8a: The proposed Specific Plan, under 2030 Project Alternate conditions, would degrade Main Avenue/Butterfield Boulevard intersection operations from LOS D+ to LOS D during the PM peak hour. (Significant Impact)</p>	<p>MM TRANS-8a.1: Main Avenue/Butterfield Boulevard. The addition of 2030 traffic volumes on the project alternate roadway network would degrade the intersection of Main Avenue/Butterfield Boulevard from an acceptable LOS D+ to an unacceptable level of service LOS D during the PM peak hour. This intersection requires a second northbound left-turn to operate acceptably. However, this improvement may require right-of-way from the northwest and southeast corners of the intersection, and physical constraints exist along the east side of Butterfield Boulevard due to the open canal. Overall, the implementation of a second northbound left-turn lane is considered physically feasible and would mitigate this impact to a less than significant level.</p> <p>The City of Morgan Hill will monitor traffic at this location and make necessary improvements at the time the intersection is projected to operate at an unacceptable level.</p> <p>(Less Than Significant Impact with Mitigation)</p>

Significant Impact	Mitigation and Avoidance Measures
<p>Impact TRANS-10: While implementation of some or all of the parking strategies outlined in the Specific Plan would increase parking supply in the Downtown to meet parking demand as development in the Downtown Core intensifies, the City has no adopted program to monitor parking availability and undertake measures to provide adequate supply. (Significant Impact)</p>	<p>MM TRANS-10.1: The City shall create a land use and parking database for the downtown area and shall be required to document the demand for parking from retail and office development and changes in parking supply through the preparation of a monitoring report submitted to the City Council every two years to ensure planning, regulatory, and construction measures are undertaken to provide adequate parking supply. Implementation of this measure would reduce the impact of the Specific Plan development on parking supplies to a less than significant level.</p> <p>(Less Than Significant Impact with Mitigation)</p>
Noise and Vibration Impacts	
<p>Impact NV-1: Residential development proposed under the Downtown Specific Plan would be exposed to exterior noise levels exceeding 60 dBA L_{dn} from traffic noise and 70 dBA L_{dn} from railroad noise. Exterior noise levels exceeding the acceptable General Plan standards would result in significant impacts to outdoor spaces in new residential development in the Downtown. (Significant Impact)</p>	<p>MM NV-1.1: Residential development shall be setback from traffic and railroad noise sources to reduce ambient noise levels in outdoor use areas to the extent feasible. Noise-sensitive outdoor spaces shall be shielded with buildings or noise barriers wherever possible. Residential development proposed under the Specific Plan shall strive to reduce traffic noise levels to 60 dBA L_{dn} or less and railroad train noise levels to 70 dBA L_{dn} or less in outdoor use areas through a combination of setbacks, noise barriers, and building design/layout. The specific determination of what treatments are necessary would be conducted on a project-by-project basis. Implementation of these measures would reduce noise impacts to outdoor use areas to a less than significant level for many of the proposed downtown residential units, however, even with incorporation of these mitigation measures to the extent feasible, the outdoor spaces for some residential units will continue to be impacted and, therefore, this impact is significant and unavoidable. (Significant Unavoidable Impact)</p>
<p>Impact NV-2: Interior noise levels would be reduced through the incorporation of standard measures, however, L_{max} noise levels of up to 110 dBA from train warning whistles, would exceed the City's L_{max} noise standards. (Significant Impact)</p>	<p>MM NV-2.1: Project-specific acoustical analyses shall be submitted for all residential and mixed-use projects where exterior noise levels exceed 60 dBA L_{dn}. Special building construction techniques (e.g., sound-rated windows and building facade treatments) may be required for new residential uses adjacent to the UPRR, Monterey Road, or Butterfield Boulevard. Special building construction techniques (e.g., sound-rated windows and building facade treatments) would be required to reduce maximum instantaneous noise levels (L_{max}) to 50 dBA in bedrooms and 55 dBA in other habitable rooms. These treatments include, but are not limited to, sound rated windows and doors, sound rated wall construction, acoustical caulking, insulation, acoustical vents, etc. Large windows and doors should be oriented away from the railroad where possible, and sensitive</p>

Significant Impact	Mitigation and Avoidance Measures
	<p>interior spaces should be located further from the railroad corridor. Projects shall also incorporate setbacks, as great as feasible, from the railroad corridor and construct noise barriers. The specific determination of what treatments are necessary would be conducted on a unit-by-unit basis. Results of the analysis, including the description of the necessary noise control treatments, would be submitted to the City along with the building plans and approved prior to issuance of a building permit.</p> <p>The City should also explore designation of the at-grade rail crossings as "quiet zones". Quiet zones could be established so that trains would not be required to sound their warning whistles but would require greater safety controls at the crossings. Wayside horn systems could be installed at the at-grade crossings to confine horn noise only in the immediate vicinity of the crossings.</p> <p>For some downtown residential properties incorporation of project-specific noise reduction treatments will reduce this impact to a less than significant level; however, for many units on properties adjoining the railroad the interior L_{max} noise standards may not be met even with incorporation of feasible and best available methods and, therefore, this impact would be significant and unavoidable. (Significant Unavoidable Impact)</p>
<p>Impact NV-3: Residential uses allowed under the Specific Plan within approximately 50 feet of the UPRR would be subject to vibration from railroad trains that would exceed the FTA impact guidelines. (Significant Impact)</p>	<p>MM NV-3.1: Residential structures shall be located at least 50 feet from the nearest railroad track unless project specific vibration analyses indicate that vibration levels at the building site and/or the design of the project result in vibration levels of 75 VdB or less. (Less Than Significant Impact with Mitigation)</p>
<p>Impact NV-4: Construction activities, even with incorporation of standard measures, could impact noise sensitive receptors in the project area for more than one year. (Significant Impact)</p>	<p>MM NV-4.1: The following mitigation measures shall be implemented, as conditions of approval, in addition to construction hour limitations in the Morgan Hill Municipal Code, to reduce potential construction related noise impacts to nearby sensitive receptors:</p> <ul style="list-style-type: none"> • Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. • Locate stationary noise generating equipment (e.g. rock crushers, compressors) as far as possible from adjacent residential receivers. • Acoustically shield stationary equipment located near residential receivers with temporary noise barriers or recycled demolition materials. • Utilize "quiet" air compressors and other stationery noise

Significant Impact	Mitigation and Avoidance Measures
	<p>sources where technology exists.</p> <ul style="list-style-type: none"> • The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. • Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., bad muffler, etc.) and would require that reasonable measures be implemented to correct the problem. <p>Implementation of the mitigation and standard measures identified above, would reduce noise generated by construction projects in the Specific Plan project area, however, given the duration of time (greater than one year) that sensitive receptors may be exposed to construction noise, this impact would remain significant and unavoidable. (Significant Unavoidable Impact)</p>
Air Quality Impacts	
<p>Impact AQ-2: Projected new development through 2015 and 2030 under the proposed project would result in an increase in regional air pollutant emissions of ROG and PM₁₀ in excess of BAAQMD thresholds and, therefore, would result in significant impacts to regional air quality. (Significant Impact)</p>	<p>MM AQ-2.1: The Specific Plan shall be amended to require submission of an Air Quality and Transportation Demand Management (AQ-TDM) Plan as part of the Design Permit (Architectural and Site Review) application for review and approval by the Community Development Director. The AQ-TDM Plan will incorporate appropriate measures at appropriate locations as determined through the design permit process, such as the following, to reduce air quality impacts:</p> <ul style="list-style-type: none"> • Provide bicycle lanes, sidewalks and/or paths, connecting project residences to adjacent schools, parks, the nearest transit stop and nearby commercial areas. • Provide secure and conveniently placed bicycle parking and storage facilities at parks and other facilities. • Allow only natural gas fireplaces. No wood burning devices would be allowed. • Construct transit amenities such as bus turnouts/bus bulbs, benches, shelters, etc. • Provide direct, safe, attractive pedestrian access from project land uses to transit stops and adjacent development. • Provide showers and lockers for employees bicycling or walking to work. • Provide transit information kiosks and bicycle parking at commercial facilities. • Provide secure and conveniently located bicycle parking

Significant Impact	Mitigation and Avoidance Measures
	<p>and storage for workers and patrons.</p> <p>MM AQ-2.2: Public parking lots constructed or assisted by the City or Redevelopment Agency of Morgan Hill and private residential parking facilities of 50 spaces or more shall include the following amenities:</p> <ul style="list-style-type: none"> • Electric vehicle charging facilities. • Preferential parking for Low Emission Vehicles (LEVs). <p>The above measures have the potential to reduce project-related regional emissions by five to ten percent. A reduction of this magnitude would not reduce emissions to below the BAAQMD significance threshold of 80 pounds per day for ROG and PM₁₀. Project regional air quality impacts, therefore, would remain significant and unavoidable. (Significant Unavoidable Impact)</p>
<p>Impact AQ-5: Demolition and construction activities due to redevelopment in the Specific Plan project area, even with incorporation of City of Morgan Hill standard measures, may generate construction-period exhaust and fugitive dust that would temporarily affect local air quality. (Significant Impact)</p>	<p>MM AQ-5.1: The Bay Area Air Quality Management District (BAAQMD) has prepared a list of feasible demolition and construction dust control measures to reduce construction impacts to a less than significant level. The following construction practices shall be incorporated into dust mitigation plans implemented during demolition and construction phases of proposed development in the Specific Plan project area to reduce dust and exhaust emissions:</p> <ul style="list-style-type: none"> • Water active demolition areas to control dust generation during demolition of structures and break up of pavement. • Cover all trucks hauling demolition debris from the site. • Use dust proof chutes to load debris into trucks whenever feasible. • Water all active construction areas at least twice daily. • Water or cover stockpiles of debris, soil, sand, or other materials that can be blown by the wind. • Cover all trucks hauling soil, sand, and other loose materials, or require all trucks to maintain at least two feet of freeboard. • Pave, apply water three times daily, or apply (non toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites. • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets. • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).

Significant Impact	Mitigation and Avoidance Measures
	<ul style="list-style-type: none"> • Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.). • Limit traffic speeds on unpaved roads to 15 miles per hour. • Install sandbags or other erosion control measures to prevent silt runoff to public roadways. • Replant vegetation in disturbed areas as quickly as possible. <p>AM AQ-5.1: The following additional measures recommended by the BAAQMD to reduce engine exhaust emissions:</p> <ul style="list-style-type: none"> • Use alternative fueled construction equipment, when feasible. • Minimize idling time (five minutes maximum). • Maintain properly tuned equipment. • Limit the hours of operation of heavy equipment and/or the amount of equipment in use. <p>(Less Than Significant Impact with Mitigation)</p>
Hazards and Hazardous Materials	
<p>Impact HM-1: Soil and/or groundwater in the project area may be contaminated by hazardous materials that could be disturbed, exposed, or released due to development and redevelopment in the project area. (Significant Impact)</p>	<p>MM HM-1.1: A Phase I Environmental Site Assessment shall be required for all properties proposed for redevelopment with residential uses where previous uses include industrial, commercial or agricultural use. If warranted, a Phase II Environmental Site Assessment shall be prepared which identifies specific remediation measures required to ensure the site is suitable for residential development.</p> <p>MM HM-1.2: If remediation activities are required on any parcel within the Specific Plan project area, these activities shall be carried out in accordance with a Remediation Plan prepared to address the findings of the Phase II Environmental Site Assessment. The Remediation Plan shall specify the cleanup levels that will be applied and the anticipated regulatory agency responsible for oversight. Potential impacts associated with the remediation activities, such as air and health impacts associated with excavation activities, transportation impacts from removal or remedial activities, and risk of upset in the event of an accident at the site or during transport of contaminated soil shall also be addressed to ensure no significant impacts from implementation of the Remediation Plan.</p> <p>MM HM-1.3: The Central Coast Regional Water Quality Control Board (RWQCB) and County of Santa Clara Department of Environmental Health Local Oversight</p>

Significant Impact	Mitigation and Avoidance Measures
	<p>Program (LOP) are responsible for overseeing cleanup of contaminated soil and water and for overseeing development activities on contaminated sites. In accordance with the Fuel Leak Site Case Closure for Unocal #6169 (Case No. 14-668, SCVWDID No. 09S3E28C03f), the County, RWQCB, and the Community Development Department shall be notified prior to any changes in land use, grading activities, excavation, and installation of water wells on the Unocal 76 station parcel of Block 14. A Clearance Letter from either of these agencies outlining site history and any requirements for cleanup or handling of residual contamination shall be submitted to the Community Development Director prior to the issuance of a site development permit.</p> <p>MM HM-1.4: The Central Coast Regional Water Quality Control Board and County of Santa Clara Department of Environmental Health Local Oversight Program are responsible for overseeing cleanup of contaminated soil and water and for overseeing development activities on contaminated sites. Prior to the issuance of a site development permit on Block 20, a Clearance Letter from either of these agencies outlining site history and requirements for cleanup or handling of residual hydrocarbon contamination on the site shall be submitted to the Community Development Director.</p> <p>(Less Than Significant with Mitigation)</p>
Biological Resources	
<p>Impact BIO-1: Tree removal during the nesting season could impact protected tree-nesting raptors. Any loss of fertile bird eggs, or individual nesting birds, or any activities resulting in nest abandonment during construction, would constitute a significant impact.</p> <p>(Significant Impact)</p>	<p>MM BIO-1.1: Removal of trees in the Specific Plan area could be scheduled between September and December (inclusive) to avoid the raptor nesting season and no additional surveys would be required.</p> <p>MM BIO-1.2: If removal of the trees on-site would take place between January and August (inclusive), a pre-construction survey for nesting raptors shall be conducted by a qualified ornithologist to identify active nesting raptor nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys shall be conducted no more than thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for raptor nests. If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the</p>

Significant Impact	Mitigation and Avoidance Measures
	<p>ornithologist shall, in consultation with the State of California, Department of Fish & Game (CDFG), designate a construction-free buffer zone (typically 250 feet) around the nest until the end of the nesting activity. The applicant shall submit a report indicating the result of the pre-construction survey and any designated buffer zones to the satisfaction of the Community Development Director.</p> <p>(Less Than Significant Impact with Mitigation)</p>
Cumulative Impacts	
<p>Impact C-TRANS-1: The proposed project, along with other pending General Plan amendments, would result in significant cumulative impacts to three signalized intersections and one unsignalized intersection.</p> <p>(Significant Cumulative Impacts)</p>	<p>MM C-TRANS-1.1: <u>Monterey Road/Main Avenue.</u> The combination of cumulative traffic from all of the proposed projects and from implementation of the Project Alternate to narrow Monterey Road to one lane in each direction would cause the intersection to operate at LOS F during the AM and PM peak hours. To mitigate this impact, Main Avenue would need protected east/west phasing with modifications to the eastbound approach (i.e., a left-turn lane and a shared-through right) and widening the westbound approach (i.e., separate left, through, and right lane with an overlap phase). The southbound approach of Monterey Road would also need to be widened (i.e. two southbound left-turn lanes, a through-lane, and a shared through-right lane) and the northbound approach would require a northbound left-turn lane, a through-lane, and a shared through-right lane. The northbound approach would conflict with the potential narrowing of Monterey Road from four to two lanes between Main Avenue and Dunne Avenue.</p> <p>The implementation of this mitigation would require reduced travel lane and sidewalk widths below City standards due to the proximity of existing buildings. At the time the adjacent blocks redevelop with new buildings a lane could be added, however, one of the City's policies for the Downtown Specific Plan is to create a vibrant downtown destination with pedestrian-friendly amenities including widened sidewalks and roadway widths that do not increase the visual separation between uses or allow for increased vehicle speeds in pedestrian oriented areas. Widening of Main Avenue and narrowing sidewalks would conflict with the policies of the Downtown Specific Plan regarding multi-modal circulation and streetscapes. This mitigation would require removal of buildings or conflict with the City's objectives for transportation improvements in this area and, therefore, the impact at this intersection is significant and unavoidable.</p> <p>(Significant Unavoidable Cumulative Impact)</p> <p>MM C-TRANS-1.2: <u>Monterey Road/Dunne Avenue.</u> The addition of cumulative traffic and the narrowing of Monterey</p>

Significant Impact	Mitigation and Avoidance Measures
	<p>Road would degrade the intersection operations from LOS D+ to LOS D during the PM peak hour. This intersection requires an eastbound right-turn overlap phase, and a southbound approach with a left-turn lane, through lane and shared through-right lane to operate acceptably (LOS D+ or better) and reduce the project's contribution to this cumulatively significant impact. These improvements (two southbound through lanes at this intersection) would conflict with narrowing of Monterey Road and the installation of traffic calming and pedestrian improvements evaluated as the project alternate.</p> <p>One of the City's goals for the proposed Downtown Specific Plan is to create a vibrant downtown destination with pedestrian-friendly amenities including widened sidewalks and traffic calming measures. This mitigation is not consistent with the priority of reducing vehicle speeds on Monterey Road and is not proposed by the project. During a future Monterey Road streetscape planning process, the City of Morgan Hill should explore the feasibility and desirability of incorporating this mitigation measure, to retain additional lanes in the block of Monterey Road, between Dunne Avenue and Fifth Street.</p> <p>(Significant Unavoidable Cumulative Impact)</p> <p>MM C-TRANS-1.3: <u>Main Avenue and Butterfield Boulevard.</u> The addition of cumulative traffic at this location would degrade the intersection operations from LOS C- and LOS D+ to LOS D during the AM and PM peak hours, respectively. This intersection requires a second northbound left-turn to operate acceptably. However, this improvement may require right-of-way from the northwest and southeast corners of the intersection, and physical constraints exist along the east side of Butterfield Boulevard due to the open canal. Overall, the implementation of a second northbound left-turn lane is considered physically feasible and would mitigate this impact to a less than significant level. The City of Morgan Hill will monitor this intersection and implement this measure at such time, based on monitoring of LOS and anticipated traffic from approved developments, that the intersection will degrade below an acceptable level of service.</p> <p>(Less Than Significant Cumulative Impact with Mitigation)</p> <p>MM C-TRANS-1.4: <u>Dunne Avenue and Del Monte Street.</u> The addition of cumulative traffic at this location would degrade intersection operations from LOS B to LOS E and LOS F during the AM and PM peak hours, respectively. The peak-hour traffic volumes at this intersection would meet the peak-hour signal warrant during the PM peak hour and installation of a</p>

Significant Impact	Mitigation and Avoidance Measures
	<p>traffic signal would mitigate the impact at this intersection and provide LOS C (20.6 seconds of average delay) and LOS C+ (20.8 seconds of average delay) operations during the AM and PM peak hour. The City of Morgan Hill will monitor this intersection and implement this measure at such time, based on monitoring of LOS and anticipated traffic from approved developments, that the intersection will degrade below an acceptable level of service.</p> <p>(Less Than Significant Cumulative Impact with Mitigation)</p>

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